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## Native Counselling Services of Alberta

### Comments on:

### "The Solicitor General's Study on Conditional Release".

#### Introduction:

Native Counselling Services of Alberta (N.C.S.A.) is a private, non-profit organization consisting primarily of Native people. The primary objective of N.C.S.A. is:

"To gain fair and equitable treatment for Native people involved in the legal system". In attempting to fulfil this objective, N.C.S.A. administers and operates a number of programs within the Criminal Justice System, from the first appearance in court, through trial, imprisonment and release.

Two programs which are of particular relevance to the areas of Conditional release covered by the Solicitor General's Study group are the Native Program Coordinator Programs within the Penitentiaries, and the Parole Officer Program, under which federal parolees are supervised.

N.C.S.A. has considerable experience in the field of corrections, and because of this experience together with the agency's active involvement in conditional release procedures and programs, the following comments on the Solicitor General's report are presented.

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Comments:

A. General

N.C.S.A appreciates that the field of conditional release is a complex one, and recognizes, as do the authors of the report, that many authorities are involved other than the parole board and parole supervisors alone. While recognizing the scope of the research required, it is disappointing to find that the authors were unable to study the question of Native offenders in detail. While the special circumstances and problems which may affect Native inmates with respect to conditional release would indeed fall within the mandate of the Special Advisory Committee on Natives established within the Ministry, this committee would require access to a data-base almost as large as that made available to the Study Committee itself.

Despite the fact that the question of issues specific to Native inmates was not explored at length by the Study Committee, many of the general points raised and recommendations made would impact on Native inmates. N.C.S.A. would urge that the implementation of recommendations not occur without consultation with Native organizations involved in this field, and at the very least with the Special Advisory Committee on Native inmates within the Ministry. Further to this, N.C.S.A. would also suggest that where recommendations to be implemented involve new staff positions, or increased private sector involvement, Native people be recruited, where warranted, to undertake these responsibilities.

B. Temporary Absences:

N.C.S.A. would support recommendations made with respect to increasing the number of hours allowed for temporary absences.

that these increases be available to inmates for

level of the institution in which they are

employed.

2. The A.A. appreciates that the state of conditional release is a

complex one, and recognizes, as do the authors of the report, that many

authorities are involved other than the parole board and parole supervisors

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alone. While recognizing the scope of the research required, it is dis-

appointing to find that the authors were unable to study the question of

Native offenders in detail. While the special circumstances and problems

which may arise in connection with the question of conditional release would

indeed fall within the mandate of the Special Advisory Committee on

Native offenders, it is regrettable that this committee would require

access to a data base almost as large as that made available to the study

of the general population. It is suggested that the question of access to Native

inmates was not explored at length by the Study Committee, many of the

general points raised and recommendations made would impact on Native

inmates. It is suggested that the implementation of recommendations

not require without consultation with Native organizations involved in this

field, and along with the other organizations mentioned in the report.

3. The A.A. would also suggest

that where recommendations are made to implement new staff positions,

or increased private sector involvement, Native people be consulted,

and on the subject previously to the study.

where warranted, to undertake these responsibilities.

4. The A.A. would suggest recommendations made with regard to

increasing the number of hours allowed for temporary absences.



We would strongly urge that these increases be available to inmates regardless of the security level of the institution in which they are serving their sentences.

C. Non - CSC Escorts:

N.C.S.A. is committed to the increased involvement of the private sector in corrections, and consequently would support the initiative to increase the use of non- CSC personnel as escorts. We would suggest that the Native Program Coordinators, already in the Penitentiaries but not as CSC staff, be increasingly used in providing escort services, particularly to Native inmates with whom they already have developed a good relationship.

We would, in addition, encourage the recruitment of Native people to act as escorts, both on a volunteer and a fee-for-service basis. While N.C.S.A. has no objection to the increased use of volunteer escorts, we are concerned that volunteers do not become out-of-pocket as a result of their activities. This could occur for example if an inmate was granted an escorted absence to a distant Native community.

D. Coordination & understanding between Sentencing authorities and releasing authorities.

N.C.S.A. agrees that there is a lack of coordination and understanding between these authorities, and in fact we have commented and made recommendations on the subject previously to the Strategic Planning Committee of the Correctional Service of Canada. (May 1980). It is true that release "is not well understood by some judges..." as mentioned in the report. It is also true that some Penitentiary and Parole staff do not





understand Judges' Sentencing strategies. While we agree that the situation should be remedied, it seems unlikely that an annual publication would fulfil this function for a number of reasons.

- i) it is likely that the document would not be read by a proportion of the target readership.
- ii) it is surely unrealistic to expect C.S.C., whose function it is to provide penitentiary programs, to provide a publication which emphasises their limited nature.

N.C.S.A. would support that an alternative means of increasing Judiciary-Parole/CSC communication would be to encourage the contact between these bodies at a more personal level; through penitentiary visits in the CSC region in which the Judicial Districts are located for example.

The above topics are those which Native Counselling Services feels be of particular importance with respect to Native inmates. Generally speaking, the report seems to reflect a positive view towards inmate release, and a realistic view of the requirements for aftercare facilities, particularly with respect to the use and funding of halfway facilities.

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\* \* Karyn Mytrash  
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